

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – RWS&S Department – Verification of works with reference to award of price adjustment on material / pipes procured in Karimnagar District - Sri B. Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply & Sanitation Department (Retd.), Hyderabad – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 35.

Dated: 17.01.2015

Read:

G.O.Ms.No. 6, PR&RD (Vig.I) Dept., dt.17.01.2015.

ORDER:

In pursuance of the sanction accorded in the reference read above, under sub clause (i) of clause (b) of sub-rule (2) of Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, for instituting departmental proceedings against Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.), it is proposed to hold an enquiry against Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.), in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II).

3. Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.) is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.), is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.) is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri B.Rajeshwara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation, Hyderabad (Retd.) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(PTO)

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7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B.Rajeswara Rao, the then Engineer-in-Chief, Rural Water Supply and Sanitation,
Hyderabad (Retd.) through the Engineer-in-Chief, RWS&S, Hyderabad.

The Engineer-in-Chief, RWS &S, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The General Administration (V&E) Department.

(w.r.t. Vigilance Report No.49 (498/V&E/E2/2010-(Karimnagar), dt. 29.03.2014)

The PR&RD (Estt.I) Department.

SF/SC

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE - I

(Annexure to G.O.Rt.No.35 , PR&RD (Vig.I) Dept., dt. 17.01.2015)

STATEMENT OF ARTICLE OF CHARGES AGAINST SRI B. RAJESHWARA RAO, THE THEN ENGINEER-IN-CHIEF, RWS&S DEPT (RETD.), HYDERABAD.

CHARGE:-

That Sri B. Rajeshwara Rao, the then Engineer-in-Chief, RWS&S Dept. (Retd.), Hyderabad has committed the following irregularities:-

- 1) Though not empowered he delegated his powers to his subordinate officers without seeking approval from the Government for payment of price adjustment for the contractors which involves huge amount benefiting the Contractors and in turn causing loss of Rs.1,44,88,196/- to the Government exchequer in three works.
- 2) Approved the final completion report of the Projects without verifying the price adjustments calculation submitted by the SE.

BASIS:

As per the Vigilance Report No. 49(498/V&E/E2/2010)-Karimnagar, dt.29.03.2014 of G.A. (V&E) Dept., the following findings were found in the verification of works with reference to award of price adjustment on material / pipes procured in the Karimnagar District.

That Sri B. Rajeshwara Rao, the then Engineer-in-Chief, RWS&S Dept. (Retd.) though not empowered he delegated his powers to his subordinate officer Sri O.Rajalingam, the then Superintending Engineer, RWS&S Karimnagar (Retd.) without seeking approval from the Government for payment of price adjustment to the contractors which involves huge amount benefiting the Contractors and in turn causing loss of Rs.1,44,88,196/- to the Government exchequer in the three works.

Though the price adjustments shall have to be approved by the estimate sanctioning authority i.e., the Engineer-in-Chief, he did not approve the same stating the reasons that "necessary invoices and supporting documents were not furnished by the Superintending Engineer" which is not convincing and it is nothing but throwing his bounded responsibilities on his subordinate officers. Instead of according approval, the Engineer-in-Chief had delegated the powers to the Superintending Engineer without seeking approval from the Govt., to verify the invoices, raw material rate duly following the GOs before making payment which is not in order.

Further, the ENC has approved the final completion report of the Projects without verifying the price adjustments calculation submitted by the SE.

From this, it is evident that, he has shown Gross Negligence towards his Legitimate Duties and violating Rule (3) of A.P.Civil Services (Conduct) Rules, 1964.

Hence, the charge.

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – II

(Annexure to G.O.Rt.No.35 , PR&RD (Vig.I) Dept., dt. 17.01.2015)

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI B. RAJESHWARA RAO, THE THEN ENGINEER-IN-CHIEF, RWS&S DEPT (RETD.).

Vigilance, Report No.49 (498/V&E/E2/2010)-Karimnagar, dt.29.03.2014 of
G.A. (V&E) Dept.

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – III

(Annexure to G.O.Rt.No.35 , PR&RD (Vig.I) Dept., dt.17.01.2015)

LIST OF THE WITNESSES BY WHOM THE ARTICLE OF CHARGES ARE PROPOSED TO BE SUSTAINED AGAINST SRI B. RAJESHWARA RAO, THE THEN ENGINEER-IN-CHIEF, RWS&S DEPT (RETD.).

-Nil-

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER